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ABSTRACT

A short fictional work for limited English speakers relates a young couple's experience in learning about small claims court through an incident involving damage to the husband's leather jacket. The damage to the jacket occurred when it was left at a dry clearner, but the dry cleaner claims that it sent the jacket to a special cleaner that handles leather clothes. The husband goes to the small claims court and learns how to file a complaint using the proper legal name of the dry cleaners. At the hearing, the husband presents the case to the judge and shows the evidence of damage. The cleaner claims that the damage was done by the special cleaners where the jacket was sent. The judge orders the defendant to pay for about three-quarters of the original price of the jacket, the cost of the cleaning, and the fee for filing the claim to the court. When the cleaner fails to repay the husband within the specified time period, the husband learns that he will have to pay a fee to have the sheriff enforce the court order. He decides to go to the cleaner rather than the sheriff and is paid by the cleaner, who asks for his assistance when she sues the other cleaner who damaged the jacket. Photographs illustrate the story. (SW)

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State Your Claim!

Small Claims Court

by

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This is a work of fiction. Any relationship between the people, places, products, and events in this book and real people, places, products, and events is coincidental.

CHAPTER 1

Terry and Jose Lopez have been married for two years. They both have good jobs. Jose works in an office. Terry works in a school. Terry likes children. Someday she wants to have her own children.

It is Friday night. Terry and Jose cook dinner. They don't have to go to sleep early. At dinner Jose and Terry talk about the movies. Terry wants to go to the movies tonight. Finally Jose says that he will go.

Terry gets the newspaper and looks in it. She looks for the ads for the movie houses in their neighborhood. She finds the ads. She reads all of them. Finally she sees an ad for a good movie. She wants to see it.

"Let's go see this movie," she says to Jose. She shows Jose the ad.

"OK," Jose says. "Let's go now. It starts in half an hour."

"Good," Terry says. "I'll be ready in a minute."

Terry goes to comb her hair.

Jose looks in the closet. He thinks that he will wear his leather jacket. It is clean now. Two weeks ago Jose took it to the dry cleaners. Yesterday he picked it up.

"Now I have a nice clean jacket to wear tonight," Jose says to himself. "I like this leather jacket. I have been taking good care of it."

Jose bought this jacket three months ago. It was expensive. He wants it to last for a long time. He takes very good care of it.

Jose takes the bag off the jacket. He puts on his jacket. He is ready to go out.

"Hurry up," he calls to his wife. "We'll be late."

Terry comes into the living room. She looks at Jose.

"Look!" she says. "There's a big spot on your jacket. What happened to it?"

"Where?" Jose asks.

Terry shows him the spot. Jose looks down at his jacket. He sees the big black spot. He takes off his jacket. He wants to look at it more carefully.

"How did this spot get here?" Jose asks.

Jose and Terry look at the leather jacket.

"Was this spot there when you took the jacket to the dry cleaners?" Terry asks Jose.

"No!" Jose tells her. "I didn't get this spot on it. It looks very bad. I can't wear my jacket like this!"

"Are you sure that you didn't get the spot on your jacket?" Terry asks.

"Of course I'm sure," Jose says. "The dry cleaners must have done something wrong! I just got it back from them yesterday. I just took it out of the bag. I haven't worn it yet."

Jose is upset. He likes this jacket a lot. He doesn't want to wear a jacket with a big spot on it. It doesn't look good.

"Well, wear your other jacket now," Terry says to him. "We're going to be late. Let's go."

Terry and Jose put on their jackets and leave the apartment. On the way to the movie house, they talk about Jose's leather jacket. This jacket is Jose's favorite jacket.

Terry and Jose decide that Jose will take the jacket back to the dry cleaners tomorrow. Tomorrow is Saturday. He will have a lot of time to talk to them. Jose and Terry think that the dry cleaners should clean the jacket again. The dry cleaners should get the spot out.

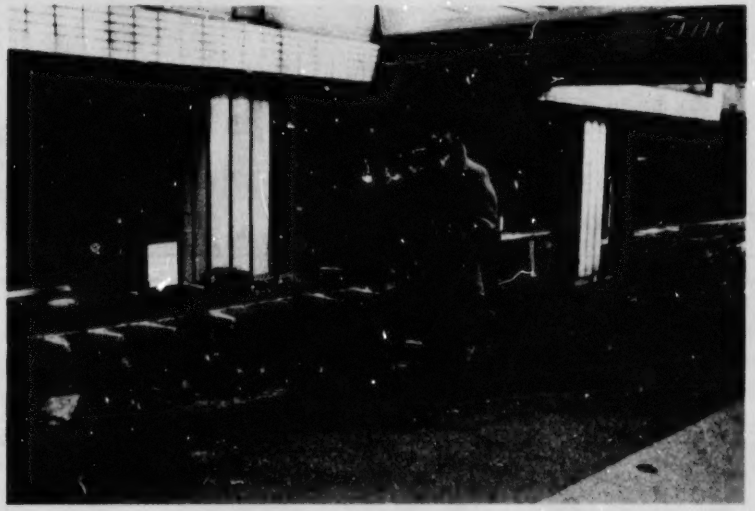
Finally Terry and Jose get to the movie house. They buy their tickets for the movie and go inside.

CHAPTER 2

Saturday Jose and Terry have breakfast. They talk about Jose's leather jacket. Jose is going to take it back to the dry cleaners today. Jose and Terry hope that the dry cleaners can get the spot out of it.

Jose gets his leather jacket out of the closet. He takes it and leaves the apartment. On the way, he thinks, "What should I say to Mrs. Smith? She's always been so nice to me. Her dry cleaners has always done a good job."

Then Jose thinks about this jacket. He says to himself, "This is my favorite jacket! I paid a lot of money for it. And now I can't wear it!"



Jose goes into Smith's Dry Cleaners.

"What can I do for you today?" Mrs. Smith asks.

"Well, this jacket," Jose starts to say. "I just got it back from you on Thursday. And I haven't worn it yet. There's a big spot on it!"

Mrs. Smith looks at the jacket.

"Did you spill anything on this jacket?" she asks Jose.

"No!" Jose says. "I just took it out of the bag last night. I already told you. I haven't worn it yet. I wanted to wear it last night. But I can't wear it like this."

"Was this spot on the jacket when you brought it to me last time?" Mrs. Smith asks.

"No, it wasn't," Jose tells her.

"We didn't get this spot on your jacket," Mrs. Smith says. "We had to send it to a special cleaners. We will send it back to that cleaners. It won't cost you any more money. But I'm not sure that the spot will come out."

Mrs. Smith takes out a cleaning ticket. She writes on the ticket that Jose doesn't have to pay for this dry cleaning. She puts one part of the ticket with Jose's jacket. She gives the other part to Jose. Jose will have to bring this part of the cleaning ticket back to the dry cleaners.

Jose puts the ticket in his pocket and leaves the dry cleaners. He is upset. He wants to wear his leather jacket.

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Jose goes home. He sits down with Terry. He tells her what Mrs. Smith said. Then they talk about his jacket. Jose doesn't want to wear his jacket with a big spot on it.

"You just bought it last October," Terry says. "It's almost new."

"I know," Jose says. "I only wore it for three months. And leather jackets are expensive. I can't buy another one now."

"I hope that they can fix it," Terry says to him.

"Me too," Jose says.

Jose and Terry clean up their apartment. Then they go out to see some friends.

CHAPTER 3

For two weeks Jose and Terry think about Jose's jacket. They know that it will take two weeks to dry clean a leather jacket in their neighborhood. They hope that the dry cleaners can get the spot out of it.

The next Saturday Jose has to go to his office. He couldn't finish all of his work this week. The office was very busy.

Terry has many things to do today. She has to clean their apartment. She has to go to the supermarket. She also wants to go to the dry cleaners. She wants to pick up Jose's jacket. She hopes that it is OK now.

In the afternoon Terry goes to Smith's Dry Cleaners. She sees Mrs. Smith and says hello.

Then Terry gets out the cleaning ticket for Jose's jacket. When customers bring in their clothes, the workers at the dry cleaners always give them a ticket. Cleaning tickets have numbers on them. The workers at the dry cleaners use these numbers to find the right clothes for the right people.

Sometimes customers lose their cleaning tickets. Then the workers at the dry cleaners might not be able to find the right clothes for these customers. These customers have to remember what clothes they brought to the dry cleaners. Then they have to tell the workers about these clothes. They also have to tell the workers their name. Then the workers can try to find the right clothes. The workers in the dry cleaners have to make sure that they don't give clothes to the wrong customers.

If customers lose their cleaning tickets, they have to sign a special book. Then they can get their clothes back. The customers' signatures in this book show that they already picked up these clothes. Sometimes, customers may find their ticket later and bring it to the dry cleaners. The workers in the dry cleaners can look in the book. Then they will know that these customers already have their clothes.

Terry knows about the cleaning ticket. She never loses it. She doesn't want to have trouble at the dry cleaners.

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STORAGE

Terry gives the ticket to Mrs. Smith. The ticket says that Terry doesn't have to pay for the dry cleaning of this jacket. This time Jose and Terry don't have to pay because the jacket came back from the dry cleaners with a spot on it. Mrs. Smith said that they would try to get the spot out.

Mrs. Smith gets Jose's jacket and hangs it up near Terry. Then Terry takes off the bag and looks at Jose's jacket carefully. The spot is still there.

Terry shows the spot to Mrs. Smith.

"It looks better," Mrs. Smith says.

"Not much," Terry tells her. "This is a new jacket. It wasn't like this when we first brought it in."

"Well, I can't do anything for you," Mrs. Smith says.

"You have to," Terry says. She is upset and angry.

"The leather in this jacket is not very good," Mrs. Smith tells Terry. "Sometimes bad leather gets spots on it when it is cleaned. Where did you buy this jacket?"

"At White's," Terry says.

"Go there and talk to them," Mrs. Smith says. "Maybe they can help you."

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Terry takes the jacket and leaves the dry cleaners. She is very upset. She doesn't know what to do. She thinks about the clothing store. She doesn't know if Mrs. Smith is right.

Terry decides to go to White's. She goes into the clothing store. She finds a sales clerk. She tells him what happened to Jose's jacket. The sales clerk tells Terry that she should talk to the manager of the store.

Terry goes to find the manager. She shows Jose's jacket to the manager.

"We haven't had any trouble with these jackets," the manager tells Terry. "Your jacket looks bad. The dry cleaners must have done something wrong."

"Well, we took it to Smith's Dry Cleaners," Terry says. "I thought that they would do a good job."

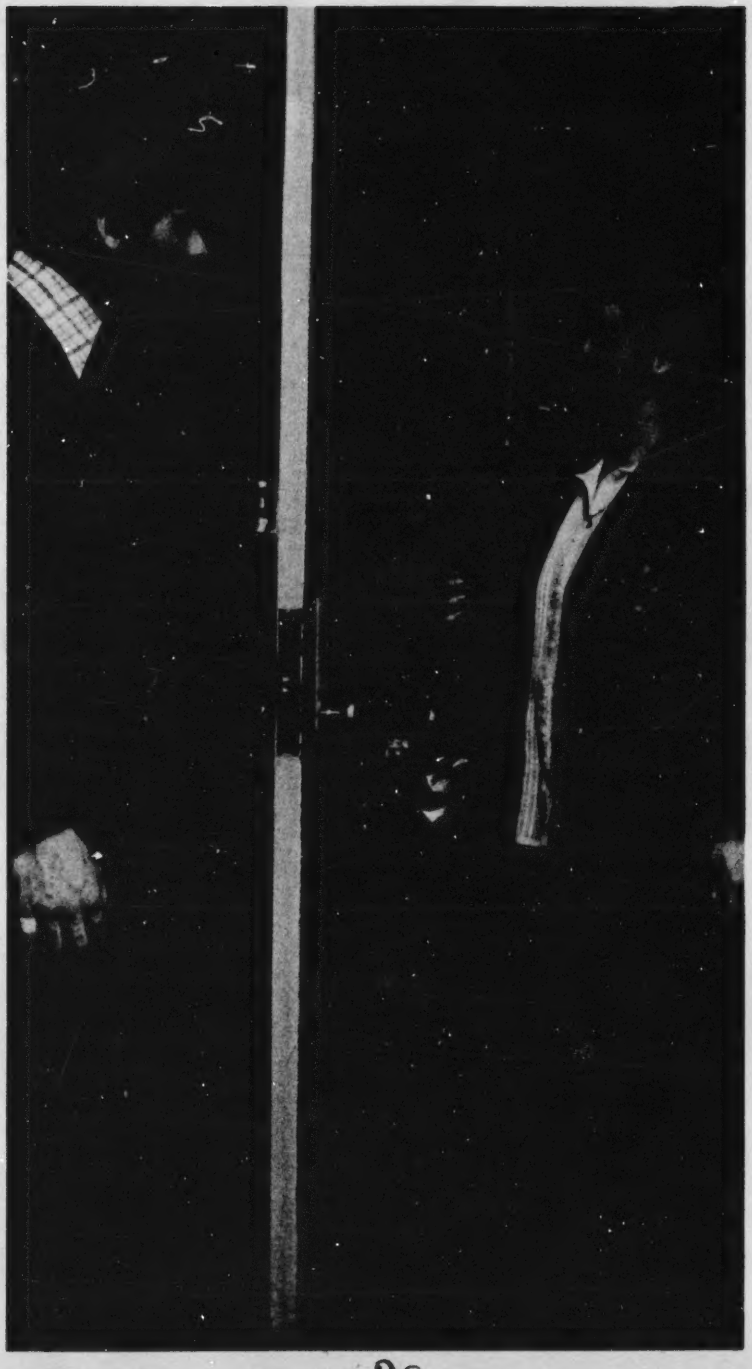
"Go back there," the manager says. "Talk to them."

"I was just there," Terry says. "Mrs. Smith said that the leather is bad."

"This jacket is made of good leather," the manager says. "It shouldn't get a spot on it when it is cleaned. I'm sorry. We can't help you."

"OK," Terry says.

Terry leaves the store. She is still very upset. She thinks that Jose will be very upset too.



Terry goes home. On the way she thinks about the dry cleaners. She is very angry. She thinks that the dry cleaners got this spot on Jose's jacket. She wishes that Jose and she could do something about the jacket.

When Terry gets to the front door, Jose hears her. He gets up and opens the door.

Jose sees that Terry has his jacket.

"How's my jacket?" he asks.

"The same," Terry tells him. "The spot is still there."

Jose gets upset. He likes this jacket. He wants to be able to wear it. He doesn't want to wear it with the spot on it.

"What am I going to do?" Jose says.

"I don't know," Terry says. "But I don't think that you will want to wear this jacket. And Mrs. Smith said that she can't do anything about your jacket."

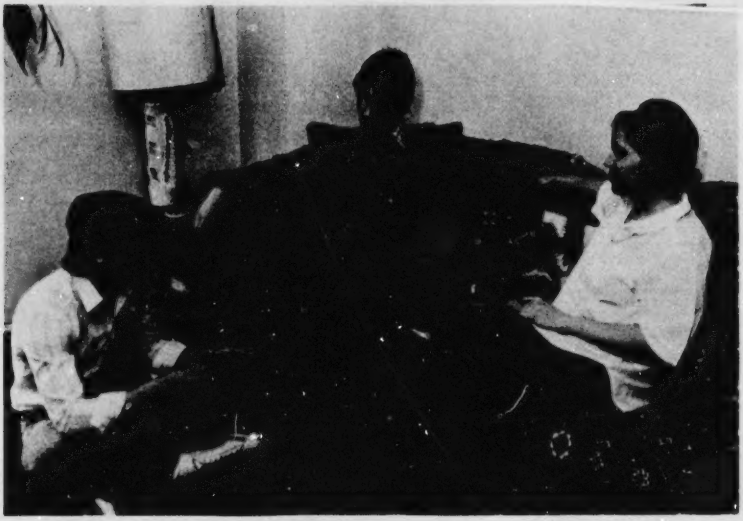
"But I can't wear it," Jose says. "I wish that we could do something about the dry cleaners."

"Maybe Frank will know what we can do," Terry says. "He's coming over after dinner."

"OK," Jose says. "We can talk to him about the jacket."

Terry and Jose make dinner. Then they sit down and eat. Terry tells Jose about the manager at the clothing store.

After dinner, their friend Frank comes to their apartment.



Frank, Terry and Jose sit down in the living room. Jose tells Frank about his jacket and the dry cleaners. He asks Frank what they can do about their trouble with the dry cleaners.

"You should sue the dry cleaners in small claims court," Frank tells Jose and Terry.

"What is that?" Terry asks.

"It's a special court," Frank says. "People can sue other people or stores in small claims court. In this county, people can't sue anyone for more than $500 in this court. But your jacket didn't cost that much money."

"We can't sue anyone," Jose says. "We can't pay for a lawyer."

"You don't need a lawyer in small claims court," Frank says.

"Did you ever sue anyone in small claims court?" Terry asks.

"Sure," Frank says. "I had a fight with my landlord last year. He wouldn't give me back my security deposit when I moved out. I had to sue him in small claims court."

"Did you have to take the day off from work?" Jose asks.

"No," Frank says. "In this county, the small claims court is open on Thursday nights."

"Good," Jose says. "Then I can go to court at night. I won't have to lose a day's pay."

"Did you get your money back?" Terry asks.

"Yes," Frank tells Jose and Terry. "I won my case. The judge said that the landlord had to give my security deposit back to me."

"When did you get your money?" Jose asks.

"I was lucky," Frank says, "The landlord paid me right away. That night he gave me a check in the court."

"Wow!" Jose says. "That's great. I hope that I can do that. I can't wear my jacket with a big spot on it. I'll have to buy a new one. We don't have enough money for a new jacket now. Mrs. Smith should pay for a new jacket for me. She got the spot on it, not me!"

"You're right," Frank tells his friend. "I think that you have a good case."

"How can we sue the dry cleaners in small claims court?" Terry asks.

"You have to go to a room in the courthouse," Frank tells them. "The clerk there will tell you what you have to do."

"Good," Jose says. "I hope that the judge makes Mrs. Smith pay for a new jacket."

Then Jose gets out the telephone book. He wants to find the address and the telephone for the small claims court. First he looks for "Small claims court."

"I can't find it," Jose says to Frank.

"You have to look under the name of our county," Frank tells him. "We live in Hillside County. We have to go to the small claims court in Hillside County. Look under Hillside."

Jose looks under "H" for Hillside. Finally Jose sees "Hillside-County of."

In most counties there is a special court like the small claims court. It may be called the General District Court. Or it may have another name. Consumers should find out the name of this kind of court in their county.

This kind of court may be under the name of the state, the county, the town or the city. Consumers may have to look under these names in their telephone book. Sometimes it is hard to find things in the telephone book.

Jose finds "Small Claims Court" under "Hillside." He writes down the address and the telephone number.

Then he says, "I didn't know that the court was on Elm Street."

"I know where it is," Terry says. "It's a big building."

"Do you think that it is open now?" Jose asks.

"No," Frank says. "You'll have to call the court on Monday."

Then Frank tells Jose and Terry what happened to him in the courtroom.

"Did the judge ask you many questions?" Jose asks.

"Yes," Frank says. "I had to tell her what happened. She listened. And I had to show her a lot of papers. I had to show her my cancelled check for the security deposit. I also had to show her my apartment lease. I had to remember to bring all these papers to the court. The judge had to look at all of them. If you don't bring the right papers, you may lose your case. You don't get your money."

"Why?" Terry asks.

"Because you have to show the judge that you are right," Frank tells them. "The right papers can help you."

"Well, we'll bring all the right things," Terry says. "We want to win this case!"

"I hope that you do," Frank says. "Remember that you get only one chance in this court. So bring everything with you when you go to court."

"We will," Terry and Jose say.

Then Frank, Terry and Jose have some coffee and cake. They watch a movie on TV. After the movie, Frank goes home.

CHAPTER 4

On Monday morning Jose and Terry get ready to go to work. They eat their breakfast. They talk about the small claims court.

"I'll call the court today," Jose says.

"Good," Terry tells him. "I hope that we can sue the dry cleaners soon."

"Well, I'll find out all about it," Jose says.

Jose and Terry finish their breakfast and leave their apartment. They take their buses to work.

Jose goes into his office. He does a lot of work. Before lunch time he remembers to call the court. He gets out the paper with the telephone number on it. Then he calls the court.

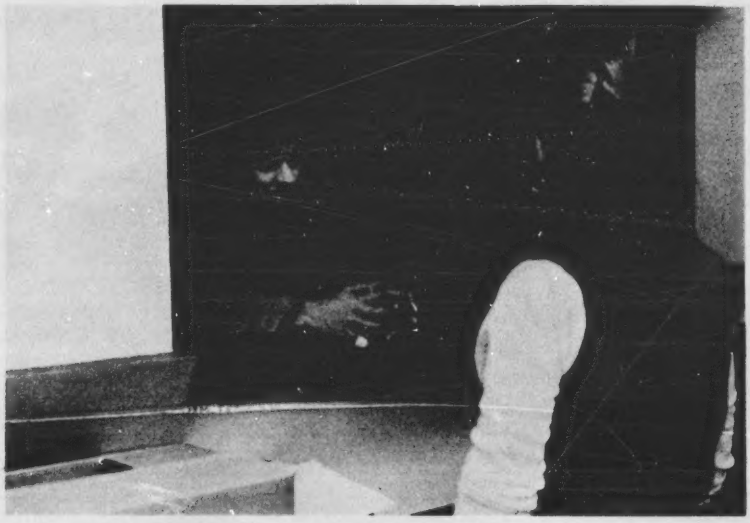
The clerk at the court tells Jose that he has to come to room 230 in the courthouse. This office is open from 8:30 to 4:30 every day. Jose will have to fill out a paper in this office. He will have to pay $3. He can't do these things by telephone.

In Jose's county it costs $3 to sue someone in small claims court. In other counties it may cost more money. But it never costs a lot of money.

Jose feels good. He wants to go to the court today. He talks to his boss because he wants to take a long time for lunch. It may take a long time at the courthouse. Jose's boss says that Jose can take a long lunch time. He knows that Jose works hard at his job. He also knows that Jose worked last Saturday.

Jose takes the bus to the courthouse. He looks around. He asks someone where room 230 is. Finally Jose finds the right office. He stands in line. Soon it is his turn.

Jose asks the clerk for the paper to sue someone in small claims court. The clerk gives Jose the paper.



Civil Court of the County of Hillside

SMALL CLAIMS PART
Request for Information

Maximum: $500.00
Time of Trial: 6:30 P.M.
Filing Fee: $3.00
(No Checks)

Name and Address of Party Being Sued:

_____

_____

_____

_____

Name and Address of Party Suing:

_____

_____

_____

_____

AMOUNT: $_____

State Your Claim Here:

_____

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Jose looks at the paper. He is not sure where he should write his name. He is not sure where he should write the name of the dry cleaners.

Jose goes back to the clerk. He asks her to help him. The clerk tells Jose that he is the "Party suing." The dry cleaners is the "Party being sued."

Then the clerk asks Jose, "Do you know the legal name of the dry cleaners?"

"I know the name," Jose says. "It's Smith's Dry Cleaners. It's on my ticket from them."

"Yes," the clerk says. "But sometimes companies have another name too. Go upstairs to room 310. Talk to the people in the County Clerk's Office. Ask them to look up the legal name of Smith's Dry Cleaners. You have to use that name in the court."

"I'm sure that it's Smith's Dry Cleaners," Jose says.

"It may be," the clerk tells him. "But it might be different. You have to write the legal name on this form. If you write down the wrong name, the dry cleaners won't have to come to court. Then you will have to fill out this form again with the right name. You will have to pay another $3. And you will have to come to court again."

"Really?" Jose asks. "Thanks. I'm glad that you told me this."

Jose finds room 310. On the door it says "County Clerk's Office." Jose goes into this office.

"Can I help you?" the clerk asks him.

Jose tells the clerk that he wants to find the legal name for Smith's Dry Cleaners. He gives her the address.

The clerk looks in the files. Then she comes back to her desk.

"Smith's Dry Cleaners is the legal name," the clerk tells him.

"Thank you," Jose says.

Jose feels good. He will write "Smith's Dry Cleaners" on the form for the small claims court. He is doing all the right things.

Jose goes back downstairs. He sees some desks and chairs. He sits down. He looks around. Other people are also writing on their forms for the small claims court.

Jose reads the form. He writes his name and address next to "Party suing." Then he writes the legal name of the dry cleaners and the address. He writes this next to "Party being sued."

Then he reads "Amount." He has to write down how much money he wants for his jacket.

Jose thinks for a little while. He remembers that he paid about $100 for his leather jacket. He had to pay $10 for the dry cleaning. Jose writes $110 on the paper next to "Amount." He wants $110 from Smith's Dry Cleaners.

At the bottom of the paper it says "State your claim." Jose has to think about his claim. He has to write down why he should get $110 from Smith's Dry cleaners. Jose thinks for a minute. He wants to do a good job. He wants to win his case. He wants to write down the right things. Then he writes.

AMOUNT: $ 110.00

State Your Claim Here:

I bought a leather jacket last October. I bought it from White's. It cost $100.00. On January 3, I took it to Mrs. Smith's Dry Cleaners. I picked it up on January 17 and paid Mrs. Smith $10 for the dry cleaning. At home I saw a big black spot on the front of the jacket. On January 19 I took the jacket back to Smith's Dry Cleaners. Mrs. Smith said that she would try to get the spot out. On January 31 I picked up the jacket. It still had a big black spot on it.

Jose reads the form again. He wants to make sure that it is right. Then he takes the form to the clerk. He gives her $3 with the form.

The clerk gives Jose a small paper. This paper says that he should be at the small claims court at 6:30 P.M. on March 14. The clerk also gives a little booklet to Jose. This booklet tells all about the small claims court.

"Read this booklet," the clerk tells him. "It will help you with your case."

"Thank you," Jose says.

He puts the paper and the booklet in his pocket. Then he goes back to his office.

Jose works hard all afternoon. He took a long time for lunch today. He has to do a lot of work this afternoon.

During the afternoon Jose looks at his calendar. He sees that today is February 2. Jose will have to wait six weeks to go to the small claims court. He will go to the court on March 14 at 6:30. Jose writes down the date and time for his case.

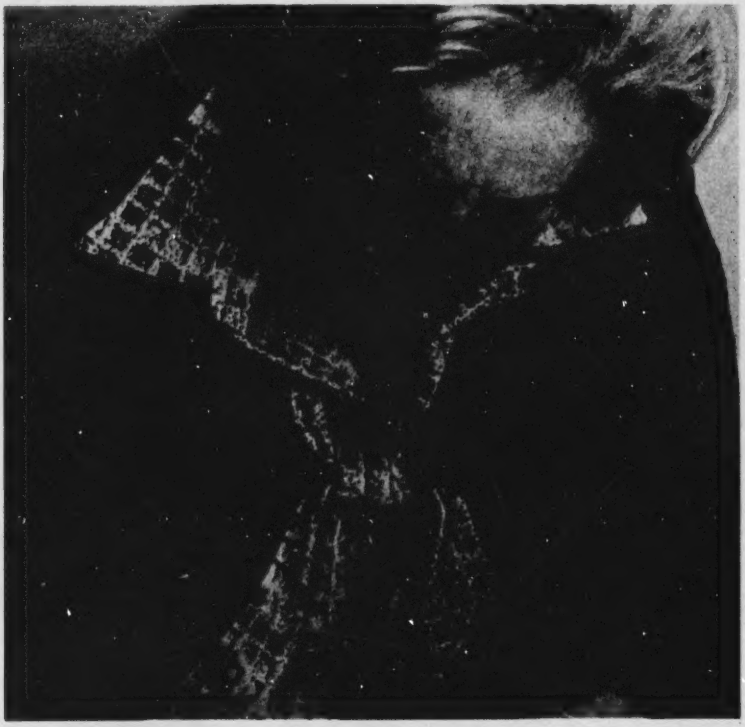
After work Jose goes home. He tells Terry all about the court. He shows her the booklet from the small claims court. Terry will go to court with Jose. She will help him. They will both read this booklet. They want to know all about small claims court.

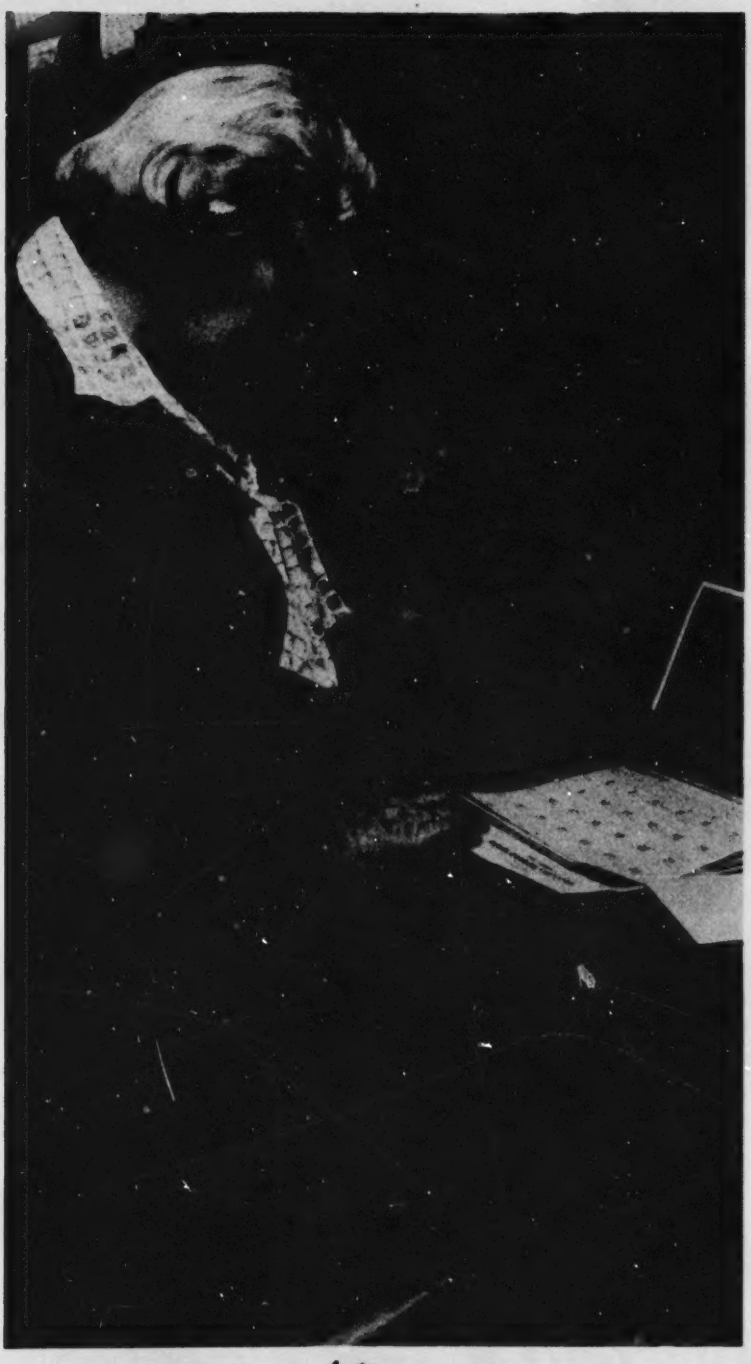
CHAPTER 5

On Friday Mrs. Smith is in her shop when the mail comes. One envelope is from the small claims court. It has a special card on it. The special card is called a return receipt.

Mrs. Smith has to sign the return receipt. If Mrs. Smith was not in the shop, one of the workers could sign it. Then the court will know that someone in Smith's Dry Cleaners got this envelope.

Mrs. Smith signs the return receipt. She gives it back to the mail carrier. The mail carrier will send it back to the small claims court.





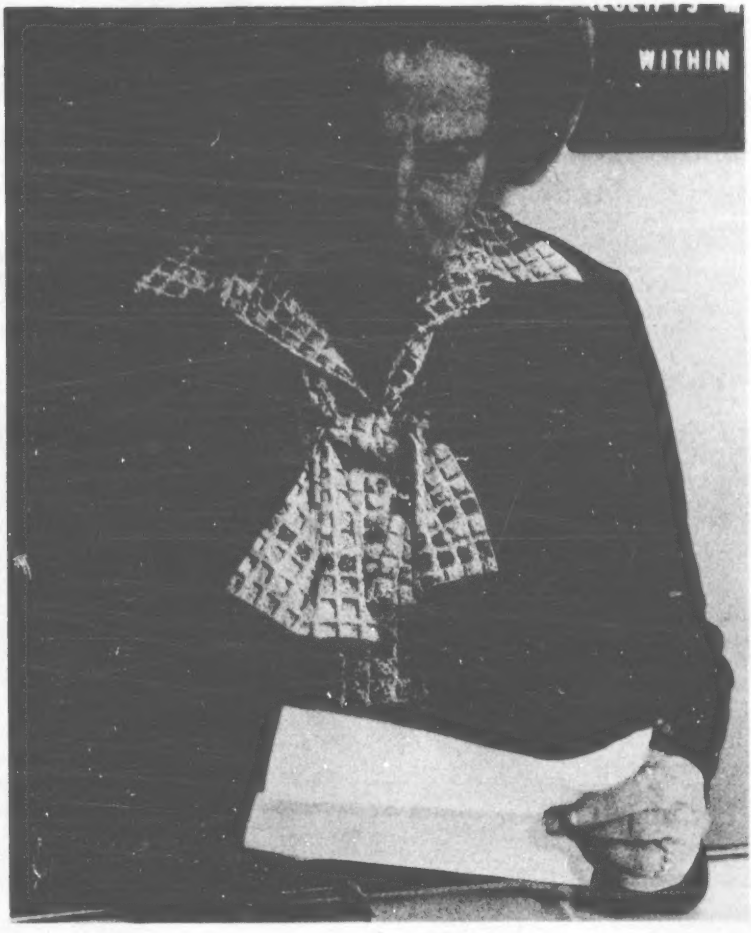
Mrs. Smith opens the envelope from the small claims court. In the envelope there is a summons. A summons is a legal paper. The summons says that Mrs. Smith has to be at the small claims court on March 14 at 6:30 P.M. Jose Lopez is taking Smith's Dry Cleaners to court.

The summons says that Jose wants Mrs. Smith to pay him $110 for his leather jacket. Jose Lopez says that Smith's Dry Cleaners made a big black spot on his leather jacket.

Mrs. Smith thinks about the summons. She is surprised. Jose didn't tell her that he would sue her. She doesn't want to go to court. She doesn't want to pay any money to Jose. But the summons says that she has to go to court. If she doesn't go to court, Jose will win his case. Then she would have to pay him all the money.

Mrs. Smith is upset. Her dry cleaners didn't get a spot on Jose's jacket. Smith's Dry Cleaners doesn't clean leather clothes. Her dry cleaners didn't do any work on Jose's jacket. Mrs. Smith sent it to a special cleaners. Mrs. Smith thinks that this special cleaners must have done something wrong to the jacket. She knows that her dry cleaners didn't do anything wrong to Jose's jacket. She will tell this to the judge.

Mrs. Smith looks at her calendar. She writes down the date and time.



Mrs. Smith reads the letter from the court again.

"I'll tell the judge what happened," Mrs. Smith thinks. "I didn't do anything wrong. I shouldn't have to pay Jose for anything."

Then Mrs. Smith thinks about Jose and Terry Lopez. They are good customers. They always bring their clothes to her dry cleaners. She hopes that they will still bring their clothes to her dry cleaners.

CHAPTER 6

For the next six weeks Jose and Terry do not go back to Smith's Dry Cleaners. They don't want to see Mrs. Smith. But they will have to see her in the small claims court.

Finally, it is March 14. Jose and Terry will go to the court today.

This morning Jose thinks about his jacket. He bought it last October. He wore it for three months. Then he brought it to the dry cleaners. It was in the dry cleaners two times. It was at the cleaners for two weeks each time. Then he had to wait six weeks to go to the court.

Jose gets dressed carefully. He wants to look nice and clean in the court tonight. He knows that he should look good in the court.

At breakfast Terry and Jose talk about the court. They hope that the judge is nice. Jose thinks about what he will say to the judge. He hopes that the judge doesn't ask him too many hard questions. He hopes that he can answer the questions. He is afraid because he has never talked to a judge.

Jose and Terry think about the papers for the court. Last week Jose found a bill from White's clothing store. He was lucky. This bill was for his leather jacket. This bill shows that Jose bought this jacket for $100 last October. It is not an old jacket.

This morning Jose looks at the papers for the court. He has the bill from the dry cleaners. It is for the dry cleaning of his jacket. He also has the bill from the clothing store for his jacket. He has the paper from the court. He thinks that he has all the right papers. He puts all of them in his pocket.

Then Jose takes his leather jacket out of the closet. He will have to bring this jacket to court tonight. He will have to show it to the judge. Jose will take his jacket to work because he can't come home after work. He has to get to the court on time.

Jose and Terry get ready to go to work. They think that they have all the right things for the court. Then they leave their apartment and go to work.

After work, Terry meets Jose at his office. They take the bus to the courthouse. It is 5 o'clock. Terry and Jose have dinner in a little restaurant near the courthouse. They know that they have to be in court on time. They have to be there by 6:30. Their case might be the first case. They also know that they may have to wait for a long time. It might be very late when they get out of court.

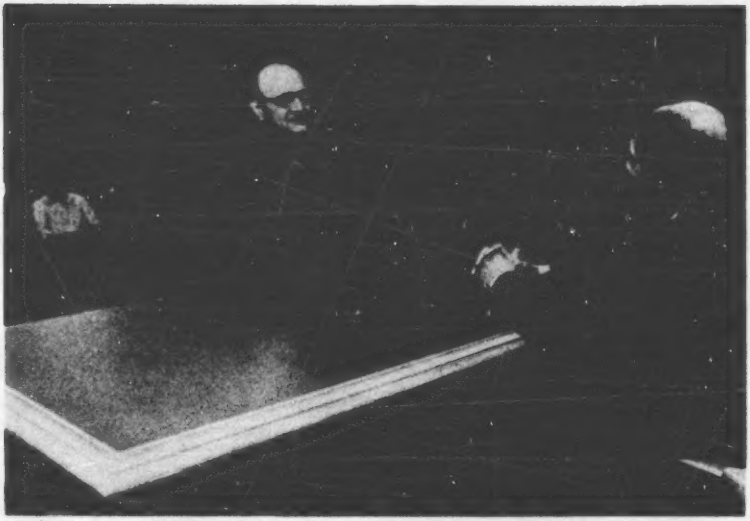
After dinner, Jose and Terry go into the courtroom. They get there at 6:15. They take off their coats and sit down.

Jose takes the papers out of his pocket. He will have to show them to the judge later. Then he gets up and goes to see the clerk.

Jose shows the clerk the paper from the court. The clerk looks at the paper. She makes sure that Jose has come on the right day. Then she looks at her list. This list tells her about all the cases for tonight. Jose Lopez's name is on the list. The clerk puts an X next to Jose's name. Then she gives the paper back to him.

"The judge will call you when it's your turn," the clerk tells Jose. "Please have a seat."

"Thank you," Jose says.



Jose sits down next to Terry. Finally the judge comes in. He calls the first case. The first man had trouble with a TV repair shop. He thinks that they didn't fix his TV right. He paid for bad repairs. This man is the claimant in this case. He wants to get his money back from the TV repair shop. He made the manager of the TV repair shop come to the small claims court.

The judge listens to the claimant. Then he listens to the manager of the TV repair shop. The manager is the defendant in this case. The defendant has to tell the judge why he doesn't want to pay the claimant.

Finally the judge says that the TV repair shop doesn't have to pay the man. The judge thinks that the TV repair shop did a good job on the repairs.

In another case, Mr. Green wants to sue Miss Davis. But Miss Davis is not in the courtroom tonight, so she loses the case. The court will send her a legal paper. This legal paper is called a judgment. It will say that she has to pay Mr. Green.

Terry and Jose look around the courtroom. They don't see Mrs. Smith. Then they see her on the other side of the courtroom.

"I wish that Mrs. Smith wasn't here," Jose says.

"Me too," Terry says. "Then we would win."

Terry and Jose listen to many cases. In each case the claimant tells what happened. Jose is the claimant in his case. Then in each case, the defendant tells what happened. Mrs. Smith is the defendant in Jose's case.

In some cases, the claimant wins. In other cases the defendant wins. After each case, the judge gives the same form to both people. This form is the judgment. It tells them who won the case. It also tells how much money the loser has to pay.

In some cases, the judge says that he will have to think some more about the case. Then he will send the same judgment to the defendant and the claimant. Then they will know what they have to do.

Finally the judge calls, "Jose Lopez."

Jose gets up. He goes over to the clerk. The clerk tells Jose to put his left hand on the Bible and hold up his right hand. Then the clerk asks Jose if he swears to tell the truth. Jose says yes. He knows that people always have to tell the truth in court. If they don't, they can get into a lot of trouble.

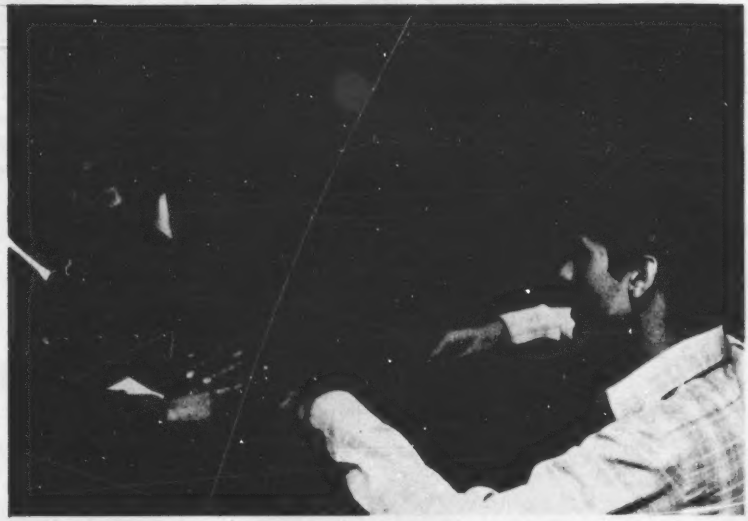
The judge asks Jose to tell him what happened. Jose tells the judge all about the spot on his leather jacket and Smith's Dry Cleaners. The judge listens to Jose.

Then Jose shows his leather jacket to the judge. The judge looks at the spot on Jose's jacket. Jose tells him that he can't wear a jacket with a big spot on it. Jose says that he will have to buy a new jacket.

The judge asks Jose if he has any papers to show him. Jose shows him the bill from Smith's Dry Cleaners. It shows that Jose brought his jacket to Smith's Dry Cleaners on January 3. It also shows that Jose paid $10 for the dry cleaning.

Then Jose shows the judge the bill from White's clothing store. This bill shows that Jose bought this jacket last October. It also shows that Jose paid $100 for his leather jacket.

The judge looks at all of these papers carefully.



"I only wore this jacket for three months," Jose tells the judge. "Smith's Dry Cleaners got this big black spot on it. I can't wear it like this."

The judge asks Jose, "Did any other dry cleaners ever clean this jacket?"

"No," Jose tells him. "We always bring our clothes to Smith's Dry Cleaners."

The judge asks Jose some other questions. Jose answers all of them. The judge tells Jose that he should sit down.

Then the judge calls Mrs. Smith. She goes over to the clerk. She swears to tell the truth. Then she goes over to the judge.

Mrs. Smith tells the judge about Jose's jacket and her dry cleaners. Her shop doesn't clean leather clothes. Her shop sends leather clothes to L & M Leather Cleaners. That cleaners is a special cleaners for leather clothes. Her shop didn't clean Jose's jacket.

Then the judge shows Jose's jacket to Mrs. Smith.

"Did this jacket have this spot on it when Jose Lopez brought it to your dry cleaners?" he asks her.

"I don't think so," Mrs. Smith tells him.

"Was the spot there when Mr. Lopez got his jacket back from your dry cleaners?" the judge asks her.

"I don't know," Mrs. Smith says. "I didn't look at the jacket when it came back from L & M Leather Cleaners."

"Could L & M Leather Cleaners have made this spot on this jacket?" the judge asks.

"I don't know," Mrs. Smith says. "But my dry cleaners didn't get the spot on this jacket. L & M Leather Cleaners cleaned this jacket. Here is my bill from them. You can see that I sent Jose's leather jacket to them on January 4."

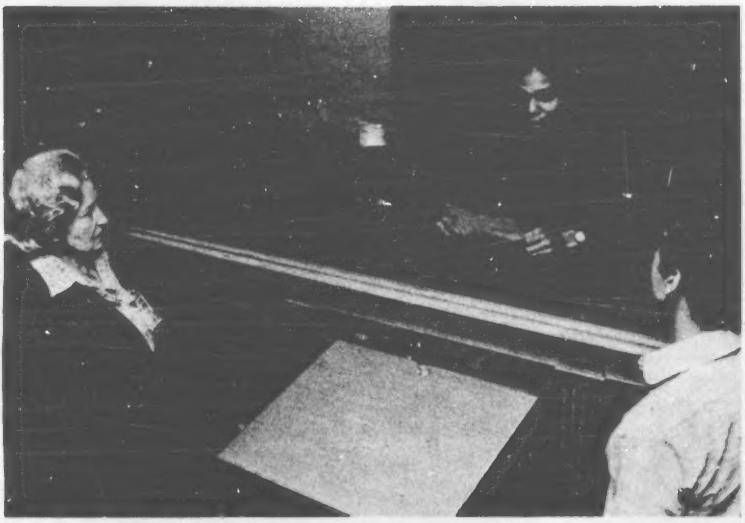
The judge looks at the bill from L & M Leather Cleaners. It says that Mrs. Smith paid L & M Cleaners on January 14. It says that they dry cleaned a man's leather jacket.

Then the judge calls Jose again. Jose walks up to the judge. The judge gives him back his jacket. Then Jose gives the jacket to Terry and goes back to the judge.

The judge thinks for a few minutes. He thinks about Jose's story and Mrs. Smith's story. He looked at all of the papers. He looked at the jacket carefully. He thinks that Jose shouldn't have to wear a jacket with a big black spot on it.

Finally, the judge tells Mrs. Smith, "Mr. Lopez brought his jacket to your dry cleaners. When he picked up his jacket, it had a big black spot on it. Now his jacket doesn't look very good. He doesn't have to wear it like this. Your dry cleaners may not have gotten this spot on this jacket. But you will have to pay Mr. Lopez for his jacket. Mr. Lopez doesn't know anything about L & M Leather Cleaners. He brought his jacket to you. You should have given it back to him in good condition."

Then the judge says to Jose, "You paid $100 for this leather jacket. Mrs. Smith will pay you $75 for the jacket because you wore it for three months. It was not new when you brought it to Smith's Dry Cleaners. Mrs. Smith will also have to pay you $10 for the dry cleaning and $3 for the court. You had to pay that money. Now Mrs. Smith has to pay it."



The clerk listens to the judge. She adds $75, $10 and $3. Then she gets out a judgment form. She writes on the form that Mrs. Smith has to pay Jose $88. The clerk gives the form to the judge. The judge signs the form. Then he gives one copy to Jose and another copy to Mrs. Smith. The court will keep one copy too.

The judgment says that Mrs. Smith has to pay Jose within ten working days. Today is Thursday, March 14. Mrs. Smith has to pay Jose by Friday, March 29.

Mrs. Smith takes the form and leaves the court. Jose takes his copy and goes back to Terry. Then the judge calls the next case.

Jose and Terry leave the courtroom. It is late and they are tired. But they feel good. They will get $88 from Mrs. Smith. They hope that they get it soon.

On the way home, they think about their case. They won. They will get $88. But Terry and Jose thought that they would get $110 from Mrs. Smith. They didn't know that they would not get the price of the leather jacket. Jose wore the leather jacket for three months, so Mrs. Smith doesn't have to give him all of that money.

Then Jose thinks about a new leather jacket. It will cost more than $88. When Mrs. Smith gives him $88, he still won't have enough money for a new jacket. He will have to spend some of his own money on the new leather jacket.

CHAPTER 7

Every day for two weeks, Terry and Jose look in the mailbox. They want the check from Smith's Dry Cleaners. But the check hasn't come yet.

On Saturday morning Terry and Jose have breakfast together. They talk about the small claims court. They went there on March 14. They won their case. At the court they got a form, and Mrs. Smith got the same form. It says that Mrs. Smith has to pay Jose $88. After the night in court, Mrs. Smith has ten weekdays to pay Jose. Mrs. Smith should have paid Jose by March 29. Today is March 30.

After breakfast Terry and Jose go into the living room. Jose takes out the booklet about the small claims court. They look at the booklet. They want to find out what they should do now. The booklet says that they don't have to go back to the small claims court to get their money.

The booklet tells about the claimant and the defendant. Jose thought that Mrs. Smith did something wrong. He wanted her to pay him. Jose was the claimant in this case. He made Mrs. Smith go to court. She was the defendant in this case. She didn't think that she should have to pay Jose any money.

The booklet says that defendants have to pay the claimants if they lose their case. It also tells how the claimants can get their money if the defendant doesn't pay. The claimant can get help from the county sheriff. The claimant may have to pay $10 to the county sheriff for this help. But the defendant will have to pay this money. The claimant will get the $10 back when the sheriff gets the claimant's money from the defendant.

Jose could go to the county sheriff on Monday. He would have to pay the sheriff $10. Then Mrs. Smith would have to give the sheriff $88 for the case and $10 for the sheriff's work. Then the sheriff would give Jose $98.

Jose and Terry decide to go to Smith's Dry Cleaners today. On the way out, Terry looks in the mailbox again. But there is no check in the mailbox today.

On the way to Smith's Dry Cleaners they talk about the county sheriff.

"I hope that Mrs. Smith gives you the money today," Terry says.

"Me too," Jose says. "I really don't want to go to the sheriff."

"Well, you may have to," Terry tells him. "But let's talk to her first."

Jose and Terry go into Smith's Dry Cleaners. They ask Mrs. Smith for their money. They show Mrs. Smith the judgment paper from the small claims court.

Mrs. Smith tells them that she talked to L & M Leather Cleaners. She wants them to pay the money for Jose's jacket. But L & M Leather Cleaners doesn't want to pay her.

"But you have to pay me," Jose tells her. "The judge said that you have to pay me. The judge didn't say anything about L & M Leather Cleaners."

"I know," Mrs. Smith says. "I think that I will have to sue L & M Leather Cleaners. I will have to take them to the small claims court."

"Well, I don't have to wait for my money," Jose says. "I can't wait any longer. The court said that you have to pay me by March 29. That was yesterday."

Mrs. Smith reads the judgment from the court again. Jose is right. She should have paid him this week.

"OK," Mrs. Smith says. "I'll pay you now."

Mrs. Smith writes a check to Jose for $88. She signs it and gives it to Jose.

Jose is happy. Now he doesn't have to go to the county sheriff. Now he doesn't have to wait any longer. He has a check from Mrs. Smith.

Then Mrs. Smith asks Jose, "Could you help me when I take L & M Leather Cleaners to court?"

"What do I have to do?" Jose asks.

"I will have to show your jacket to the judge," Mrs. Smith tells him.

"Sure," Jose says. "You can use it. I can't wear it. I'll bring it in this afternoon."

"Thank you," Mrs. Smith says. "I'm sorry that we had so much trouble."

"Me too," Jose says. "I hope that you win your case."

Jose and Terry leave Smith's Dry Cleaners.

EARANCE SA

On the way home Terry asks Jose, "Do you think that we should use Smith's Dry Cleaners again?"

"Mrs. Smith is nice," Jose says. "And we never had any other trouble with her dry cleaners."

"We'll have to think about this," Terry says.

Then Terry and Jose walk near a men's store. They look in the windows. Jose wants to buy a new jacket soon. He looks at the prices in the window.

"A new leather jacket will cost more than $88," Jose says.

"You're right," Terry says. "But we have a check for $88. You can spend that money on the new jacket."

"OK," Jose says. "If I can find a new jacket for $100, I'll only have to pay $12 of my own money. The check from Mrs. Smith will pay for the rest."

"I hope that you can find another nice leather jacket," Terry says.

"We'll find one," Jose says.

"OK," says Terry. "Let's go shopping."

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